

Summary: **An Amendment to Chapter 108 of the Pershing County Development Code.**

BILL NO. _____

ORDINANCE NO. _____.

AN ORDINANCE AMENDING CHAPTER 108, OF THE PERSHING COUNTY DEVELOPMENT CODE BY AMENDING THE PROVISIONS OF 17.108.25 TO AUTHORIZE SOLAR ENERGY DEVELOPMENT IN THE AGRICULTURAL PRESERVATION OVERLAY DISTRICT WITH A SPECIAL USE PERMIT AND OTHER MATTERS PROPERLY RELATING THERETO.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE PERSHING COUNTY BOARD OF COUNTY COMMISSIONERS THAT CHAPTER 108 OF THE PERSHING COUNTY DEVELOPMENT CODE BE AMENDED AS FOLLOWS: (yellow is to be deleted and red is to be added)

Section 17.108.25 Uses Permitted by Special Use Permit. The following uses shall be permitted only where a special use permit has been approved by the Planning Commission in accordance with the standards and procedures of Chapter 17.606, Special Use Permits, **and Pershing County Code Chapter 15.18, Renewable Energy Projects:**

- A. Mining operations and industrial operations accessory to and integral with mining operations, provided that such operations are designed and operated in accordance with all requirements of Federal and State environmental regulations and may be conducted without interference with adjacent farming operations;
- B. Solar energy production, subject to the following conditions, without limitation:**
 - 1. The development of solar energy shall not occur on prime farmland nor interfere with agricultural production on prime farmland;**
 - 2. The grantee of a special use permit must post a reclamation bond of \$10,000.00 per acre of disturbance in the form of cash, cashier's or certified check, U.S. Treasury securities equal in value to the bond amount; surety bond; or a policy of insurance that provides Pershing County with acceptable rights as a beneficiary and is issued by an insurance carrier that has the authority to issue such policies within Pershing County, Nevada. A corporate guarantee is not an acceptable form of bond.**
 - 3. The grantee of a special use permit and owner of the real property for which the special use permit is issued shall agree not to transfer water beyond the boundaries of the Agricultural Preservation Overlay District during the term of the special use permit.**

REPEAL

All ordinances or resolutions or parts thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance and the provisions of this ordinance are declared severable.

THIS ORDINANCE shall take effect from and after passage, and after final adoption, the Pershing County Board of County Commissioners is hereby authorized and directed to have this published by title together with the names of the Commission members voting for or against its passage once a week for a period of two (2) weeks in the Lovelock Review Miner, a newspaper published in a general circulation in the County of Pershing, State of Nevada.

PROPOSED on the 17th day of February 2021.

PROPOSED by _____.

PASSED on the _____ day of _____ 2021.

VOTE: Ayes:

Nays:

Absent:

Larry Rackley, Chair
Pershing County Commission

ATTEST:

Lacey Donaldson, Clerk

